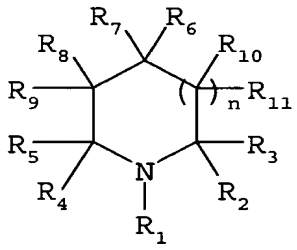
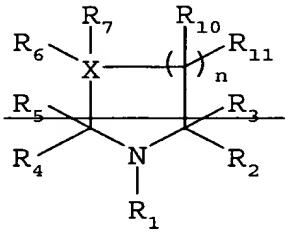
AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (Currently Amended) A method for ~~the therapeutic treatment of cancer~~ slowing the progression of a tumor in an animal, which method comprises administering to an animal having a ~~cancer~~ tumor due to a genetic defect in the p53 gene a ~~nitroxide~~ compound of Formula I or a prodrug thereof in an amount sufficient to slow the progression of the tumor ~~treat said cancer~~, wherein said ~~cancer~~ tumor is susceptible to treatment by said ~~nitroxide~~ compound of Formula I or prodrug thereof, and wherein said ~~nitroxide or prodrug thereof is a~~ compound of Formula I ~~or II~~ is defined as :





Formula I ~~or~~ ~~Formula II~~

wherein R_1 is selected from the group consisting of H, OH, OZ, O·, and =O ~~and Y, wherein Y is a leaving group, which can be converted to H, OH, O· or =O by reaction with a nucleophilic agent~~, and Z is selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C_{1-20}~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, wherein R_2, R_3, R_4 and R_5 are independently selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} alkyl group, a ~~C_{2-20}~~ C_{2-6} alkenyl group, a ~~C_{2-20}~~ C_{2-6} alkynyl group, and $-CH_2-[CR'R'']_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C_{1-20}~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid, and a protein,

$m \leq 4$ ~~30~~, ~~and R_2 and R_3 or R_4 and R_5 can be connected through one or more members, each of which is independently selected from the group consisting of carbon and a heteroatom,~~ wherein R_6, R_7, R_8 and R_9 are independently selected from the group consisting

of hydrogen, a hydroxyl group, a ~~C_{1-20}~~ C_{1-6} aldehydic group, a ~~C_{1-20}~~ C_{3-6} keto group, a primary amino group, a secondary amino group, a tertiary amino group, a sulfido group, ~~a disulfido group, a sulfato group, a sulfito group, a sulfonato group, a sulfinato group, a sulfenato group, a sulfamato group, a metal-containing group, a silicone group,~~ a halide, a ~~C_{1-20}~~ C_{1-6} ester-containing group, a carboxyl group, a phosphato group, a phosphino group, a phosphinato group, a phosphonato group, a ~~C_{1-20}~~ C_{1-6} alkyl group, a ~~C_{2-20}~~ C_{2-6} alkenyl group, a ~~C_{2-20}~~ C_{2-6} alkynyl group, and $-CH_2-[CR' R"]_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C_{1-20}~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, and $m \leq 4$ ~~30~~, and ~~wherein any one of R_6, R_7, R_8 and R_9 can be attached covalently or noncovalently to a polymer of synthetic or natural origin,~~ wherein ~~in Formula I,~~ one of R_6 and R_7 and one of R_8 and R_9 can be absent such that a double bond joins the two carbon atoms to which the remaining R groups are attached, wherein n = 0-4 ~~20 in Formula I, and n = 1-20 in Formula II, wherein X is a heteroatom,~~ and wherein R_{10} and R_{11} are independently selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group, a C_{1-20} aliphatic/aromatic group, a heteroatomic group,~~ a ~~C_{1-20}~~ C_{1-6} ether-containing group, a ~~C_{1-20}~~ C_{3-6} keto group, a ~~C_{1-20}~~ C_{1-6} aldehydic group, a carboxamido group, a cyano group, an amino group, and a carboxyl group~~, a selenium-containing group, a sulfato group, a sulfito group, a sulfenato group, a sulfinato group, and a sulfonato group, and wherein R_{10} and R_{11} can be connected through an aliphatic group and/or an aromatic group, or R_{10} and/or R_{11} can comprise a member selected from the group consisting of a carbohydrate, a lipid, a nucleic acid and a protein~~.

2-3. (Canceled)

4. (Withdrawn) The method of claim 1, wherein said aliphatic group is branched, substituted and/or unsaturated.

5. (Withdrawn) The method of claim 4, wherein said aliphatic group is substituted with a member selected from the group consisting of oxygen, phosphorus, selenium, sulfur and nitrogen.

6. (Withdrawn) The method of claim 1, wherein said aromatic group comprises a five- or six-membered ring, in which each of the five or six members is independently selected from the group consisting of carbon and a heteroatom.

7. (Withdrawn) The method of claim 6, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

8. (Canceled)

9. (Withdrawn) The method of claim 6, wherein said aromatic group is substituted.

10. (Withdrawn) The method of claim 9, wherein said aromatic group is substituted with a heteroatom.

11. (Withdrawn) The method of claim 10, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

12. (Withdrawn) The method of claim 1, wherein said alicyclic group is substituted and/or unsaturated.

13. (Withdrawn) The method of claim 11, wherein said alicyclic group is substituted with a heteroatom.

14. (Withdrawn) The method of claim 1, wherein said amino group is substituted.

15. (Withdrawn) The method of claim 14, wherein said amino group is substituted with up to three substituents selected from the group consisting of a C_{1-20} aliphatic group, a monocyclic aromatic group, a bicyclic aromatic group, a multicyclic aromatic group, and a C_{1-20} alicyclic group.

16. (Withdrawn) The method of claim 15, wherein said aromatic group comprises a five- or six-membered ring, in which each of the five or six members is independently selected from the group consisting of carbon and a heteroatom.

17. (Withdrawn) The method of claim 16, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

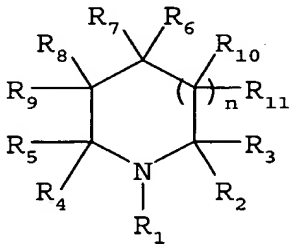
18. (Withdrawn) The method of claim 15, wherein said aromatic group is substituted.

19. (Withdrawn) The method of claim 18, wherein said aromatic group is substituted with a heteroatom.

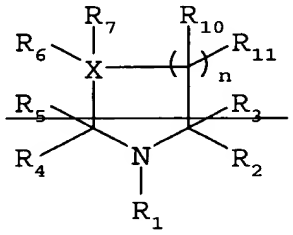
20. (Withdrawn) The method of claim 19, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

21. – 27. (Canceled)

28. (Currently Amended) A method for delaying the onset of tumor formation or slowing the progression of a tumor ~~the prophylactic or therapeutic treatment of cancer~~ in an animal, which method comprises administering to an animal at risk for developing a ~~cancer~~ tumor or having a ~~cancer~~ tumor due to ataxia telangiectasia or Li Fraumeni syndrome a compound of Formula I ~~nitroxide~~ or a prodrug thereof in an amount sufficient to delay the onset or slow the progression of the tumor ~~prevent or treat said cancer~~, wherein said ~~cancer~~ tumor is susceptible to ~~prevention or treatment~~ treatment by said ~~nitroxide~~ compound of Formula I or prodrug thereof, and wherein said ~~nitroxide or prodrug thereof is a~~ compound of Formula I is defined as ~~or II~~:



Formula I ~~or~~



~~Formula II~~

wherein R_1 is selected from the group consisting of H, OH, OZ, O·, and =O ~~and Y, wherein Y is a leaving group, which can be converted to H, OH, O· or =O by reaction with a nucleophilic agent~~, and Z is selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C_{1-20}~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, wherein R_2, R_3, R_4 and R_5 are independently selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} alkyl group, a ~~C_{2-20}~~ C_{2-6} alkenyl group, a ~~C_{2-20}~~ C_{2-6} alkynyl group, and $-CH_2-[CR'R'']_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a~~

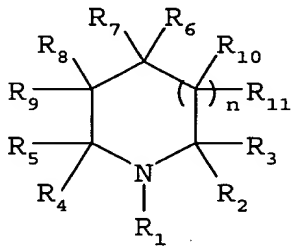
~~multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C1-20~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C1-20~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid, and a protein,

$m \leq 4$ ~~30~~, ~~and R_2 and R_3 or R_4 and R_5 can be connected through one or more members, each of which is independently selected from the group consisting of carbon and a heteroatom,~~ wherein R_6, R_7, R_8 and R_9 are independently selected from the group consisting of hydrogen, a hydroxyl group, a ~~C1-20~~ C_{1-6} aldehydic group, a ~~C1-20~~ C_{3-6} keto group, a primary amino group, a secondary amino group, a tertiary amino group, a sulfido group, ~~a disulfido group, a sulfato group, a sulfito group, a sulfonato group, a sulfinato group, a sulfenato group, a sulfamato group, a metal-containing group, a silicone group,~~ a halide, a ~~C1-20~~ C_{1-6} ester-containing group, a carboxyl group, a phosphato group, a phosphino group, a phosphinato group, a phosphonato group, a ~~C1-20~~ C_{1-6} alkyl group, a ~~C2-20~~ C_{2-6} alkenyl group, a ~~C2-20~~ C_{2-6} alkynyl group, and $-CH_2-[CR' R"]_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C1-20~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C1-20~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C1-20~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, and $m \leq 4$ ~~30~~, and ~~wherein any one of R_6, R_7, R_8 and R_9 can be attached covalently or noncovalently to a polymer of synthetic or natural origin,~~ wherein ~~in Formula I,~~ one of R_6 and R_7 and one of R_8 and R_9 can be absent such that a double bond joins the two carbon atoms to which the remaining R groups are attached, wherein n = 0-4 ~~20 in Formula I, and n = 1-20 in Formula II, wherein X is a heteroatom,~~ and wherein R_{10} and R_{11} are independently selected from the group consisting of a ~~C1-20~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group, a C1-20 aliphatic/aromatic group, a heteroatomic group,~~ a ~~C1-20~~ C_{1-6} ether-containing group, a ~~C1-20~~ C_{3-6} keto group, a ~~C1-20~~ C_{1-6} aldehydic group, a carboxamido group, a cyano group, an amino group, and a carboxyl group~~, a selenium-containing group, a sulfato group, a sulfito group, a sulfenato group, a sulfinato group, and a sulfonato group, and wherein R_{10} and R_{11} can be connected through an aliphatic group and/or an aromatic group, or R_{10} and/or R_{11} can comprise a member selected from the group consisting of a carbohydrate, a lipid, a nucleic acid and a protein~~.

29. (Canceled)

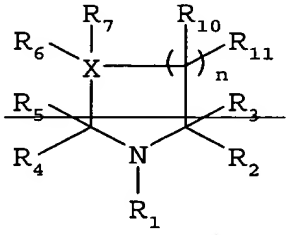
30. (Currently Amended) A method for ~~the prophylactic treatment of cancer~~ delaying the onset of tumor formation in an animal, which method comprises administering to an

animal ~~at risk for developing a cancer a nitroxide~~ compound of Formula I or a prodrug thereof in an amount sufficient to delay the onset of tumor formation ~~prevent said cancer~~, wherein said ~~cancer~~ tumor is susceptible to prevention by said ~~nitroxide~~ compound of Formula I or prodrug thereof, and wherein said ~~nitroxide or prodrug thereof is a~~ compound of Formula I is defined as ~~or II~~:



Formula I

~~or~~



~~Formula II~~

wherein R_1 is selected from the group consisting of H, OH, OZ, O·, and =O ~~and Y, wherein Y is a leaving group, which can be converted to H, OH, O· or =O by reaction with a nucleophilic agent~~, and Z is selected from the group consisting of a ~~C1-20~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C1-20~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, wherein R_2, R_3, R_4 and R_5 are independently selected from the group consisting of a ~~C1-20~~ C_{1-6} alkyl group, a ~~C2-20~~ C_{2-6} alkenyl group, a ~~C2-20~~ C_{2-6} alkynyl group, and $-CH_2-[CR'R'']_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C1-20~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C1-20~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C1-20~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid, and a protein,

$m \leq 4$ ~~30~~, ~~and R_2 and R_3 or R_4 and R_5 can be connected through one or more members, each of which is independently selected from the group consisting of carbon and a heteroatom,~~ wherein R_6, R_7, R_8 and R_9 are independently selected from the group consisting of hydrogen, a hydroxyl group, a ~~C1-20~~ C_{1-6} aldehydic group, a ~~C1-20~~ C_{3-6} keto group, a primary amino group, a secondary amino group, a tertiary amino group, a sulfido group, ~~a disulfido group, a sulfato group, a sulfito group, a sulfonato group, a sulfinato group, a sulfenato group, a sulfamato group, a metal-containing group, a silicone group,~~ a halide, a ~~C1-20~~ C_{1-6} ester-containing group, a carboxyl group, a phosphato group, a phosphino group, a phosphinato group, a phosphonato group, a ~~C1-20~~ C_{1-6} alkyl group, a ~~C2-20~~ C_{2-6} alkenyl group,

a ~~C_{2-20}~~ C_{2-6} alkynyl group, and $-CH_2-[CR' R"]_m-CH_3$, wherein R' is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, and a monocyclic aromatic group, ~~a bicyclic aromatic group, and a multicyclic aromatic group,~~ and R" is selected from the group consisting of hydrogen, a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group,~~ a ~~C_{1-20}~~ C_{5-10} alicyclic group, ~~a noncarbon/nonoxygen moiety,~~ a carbohydrate, a lipid, a nucleic acid and a protein, and $m \leq 4$ ~~30~~, and ~~wherein any one of R_6, R_7, R_8 and R_9 can be attached covalently or noncovalently to a polymer of synthetic or natural origin,~~ wherein ~~in Formula I,~~ one of R_6 and R_7 and one of R_8 and R_9 can be absent such that a double bond joins the two carbon atoms to which the remaining R groups are attached, wherein n = 0-4 ~~20 in Formula I, and n = 1-20 in Formula II, wherein X is a heteroatom,~~ and wherein R_{10} and R_{11} are independently selected from the group consisting of a ~~C_{1-20}~~ C_{1-6} aliphatic group, a monocyclic aromatic group, ~~a bicyclic aromatic group, a multicyclic aromatic group, a C_{1-20} aliphatic/aromatic group, a heteroatomic group,~~ a ~~C_{1-20}~~ C_{1-6} ether-containing group, a ~~C_{1-20}~~ C_{3-6} keto group, a ~~C_{1-20}~~ C_{1-6} aldehydic group, a carboxamido group, a cyano group, an amino group, and a carboxyl group~~, a selenium-containing group, a sulfato group, a sulfito group, a sulfenato group, a sulfinato group, and a sulfonato group, and wherein R_{10} and R_{11} can be connected through an aliphatic group and/or an aromatic group, or R_{10} and/or R_{11} can comprise a member selected from the group consisting of a carbohydrate, a lipid, a nucleic acid and a protein~~.

31. (Withdrawn) The method of claim 30, wherein said aliphatic group is branched, substituted and/or unsaturated.

32. (Withdrawn) The method of claim 31, wherein said aliphatic group is substituted with a member selected from the group consisting of oxygen, phosphorus, selenium, sulfur and nitrogen.

33. (Withdrawn) The method of claim 30, wherein said aromatic group comprises a five- or six-membered ring, in which each of the five or six members is independently selected from the group consisting of carbon and a heteroatom.

34. (Withdrawn) The method of claim 33, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

35. (Canceled)

36. (Withdrawn) The method of claim 33, wherein said aromatic group is substituted.

37. (Withdrawn) The method of claim 36, wherein said aromatic group is substituted with a heteroatom.

38. (Withdrawn) The method of claim 37, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

39. (Withdrawn) The method of claim 30, wherein said alicyclic group is substituted and/or unsaturated.

40. (Withdrawn) The method of claim 38, wherein said alicyclic group is substituted with a heteroatom.

41. (Withdrawn) The method of claim 30, wherein said amino group is substituted.

42. (Withdrawn) The method of claim 41, wherein said amino group is substituted with up to three substituents selected from the group consisting of a C_{1-20} aliphatic group, a monocyclic aromatic group, a bicyclic aromatic group, a multicyclic aromatic group, and a C_{1-20} alicyclic group.

43. (Withdrawn) The method of claim 42, wherein said aromatic group comprises a five- or six-membered ring, in which each of the five or six members is independently selected from the group consisting of carbon and a heteroatom.

44. (Withdrawn) The method of claim 43, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

45. (Withdrawn) The method of claim 42, wherein said aromatic group is substituted.

46. (Withdrawn) The method of claim 45, wherein said aromatic group is substituted with a heteroatom.

47. (Withdrawn) The method of claim 46, wherein said heteroatom is selected from the group consisting of nitrogen, oxygen, sulfur, phosphorus and boron.

48. (Canceled)

49. (Previously Presented) The method of claim 30, wherein the ~~cancer~~ tumor is caused by a genetic defect in the p53 gene.